

R E M A R K S

Applicant has carefully studied the outstanding Office Action in the present application. The present response is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

Claims 17 and 50 stand rejected under 35 USC 102(b) as being anticipated by Montalbano. Claims 17, 26 and 50 stand rejected under 35 USC 102(b) as being anticipated by Rodriguez et al. Claims 17, 19, 21, 26, 27, 50-54 and 56 stand rejected under 35 USC 103(a) as being unpatentable over Wu et al in view of Badran and Raudalus et al. Claims 22-25 and 28-29 stand rejected under 35 USC 103(a) as being unpatentable over Wu et al in view of Badran and Raudalus et al. further in view of Wu et al. Claim 55 stands rejected under 35 USC 103(a) as being unpatentable over Wu et al in view of Badran and Raudalus et al. further in view of Scholle.

Applicant expresses his appreciation to Examiner Robert Madsen and SPE Milton Cano for the courtesy of an interview, which was granted to the Applicant and Applicant's representative, Sanford T. Colb (Reg. No. 26,856). The interview was held at the USPTO on November 25, 2003. The substance of the interview is set forth in the Interview Summary, Paper No. 17.

In the interview, claims 17, 50 and 51 were discussed vis-à-vis the prior art of record. The Interview Summary Record states, in relevant part, "Applicant will amend claim 17 to include: amend the preamble to include package (vs. carton), change the order of the 3 limitations of claim 17 to claim a box 'with a plurality of ventilation...', an interiorly disposed bag, and a localized atmosphere communication aperture 'communicating with the interior of the bag'. Include the limitations of 50 and 51. This will place the application in condition for allowance."

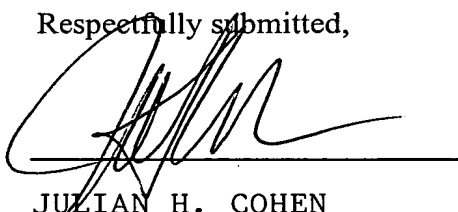
Applicant has accordingly amended independent claim 17 as discussed. All of the claims have also been amended to recite "a package" instead of "a carton". Additionally, claim 52 has been amended to depend from claim 17 instead of cancelled claim 51. Claims 50 and 51 have been cancelled without prejudice.

Thus, independent claim 17 is deemed allowable over the prior art of record and favorable reconsideration is respectfully requested. Claims 19, 21-29 and 52-56 each depend directly or ultimately from claim 17 and recite additional patentable subject matter and therefore are deemed allowable.

Applicant reserves the right to pursue the claims as filed in the context of a continuation application.

In view of the foregoing, all of the claims are deemed to be allowable. Favorable reconsideration and allowance of the application is respectfully requested.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Julian H. Cohen', is written over a horizontal line.

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